

#8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of
Naimish, R.
Serial No. 09/765,174
Filed: 01/18/01
For: Guitar Bridge for Improved Sound Transfer

Group Art Unit: 2837
Examiner: Lockett, K.

PETITION UNDER 37 CFR 137(A) FOR REVIVAL OF AN ABANDONED APPLICATION
WHERE THE DELAY WAS UNAVOIDABLE

RECEIVED

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

MAR 01 2004

EU 827698959 US

OFFICE OF PETITIONS

Dear Sir:

The above identified application has been held abandoned as of December 17, 2003. The basis for this was Applicant's failure to timely file a proper reply to an Office Action dated November 20, 2002.

The Applicant respectfully petitions the Commissioner for revival of this application. As evidenced by the enclosed documents, the response was properly filed on February 13, 2003 and received in the Patent Office on February 14, 2003. As such, any delay in prosecution was unavoidable on the part of the Applicant.

Copies of the following supporting documents are enclosed:

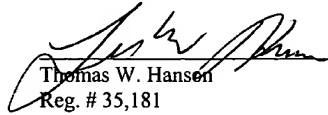
- The original Response, including Transmittal Form, Fee Transmittal Form, Credit Card Payment Form, and Amendment. Note that all forms were signed February 13, 2003. (The Express mail number shown was not entered on the original Transmittal, but was affixed to the file copy in accordance with internal procedures.)
- The Express Mail Post Office To Addressee label for the mailing of the Response, showing a Date In of February 13, 2003
- The US Postal Service delivery confirmation showing that the Response was delivered on February 14, 2003 and accepted by Derrick Mobley.
- A copy of Applicant's attorney's credit card statement showing that the fee authorized by the Credit Card Payment Form was charged February 14, 2003.

Enclosed please find a Credit Card Payment Form authorization payment of the petition fee of \$55.00. Note that Applicant has previously established Small Entity status..

Should there remain unresolved issues, it is respectfully requested that Mr. Thomas W. Hanson, Applicant's attorney be contacted at (303) 328-6520 or (303) 789-1002 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,

Feb 29 '04
Date


Thomas W. Hanson
Reg. # 35,181

Thomas W. Hanson, LLC
3990 S. Cherokee St.
Englewood, CO 80110
(303)789-1002

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**FEE TRANSMITTAL
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$55.00)**Complete if Known**

Application Number	09/765,174	RECEIVED MAR 1 2004 OFFICE OF PETITIONS
Filing Date	Herewith	
First Named Inventor	Naimish, Richard	
Examiner Name	Lockett, K.	
Art Unit	2837	
Attorney Docket No.	Roh-N	

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit Account Number
Deposit Account Name

500339

Thomas W. Hanson, LLC

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$) 0**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65		Surcharge - late filing fee or oath	
1052 50	2052 25		Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130		Non-English specification	
1812 2,520	1812 2,520		For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*		Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*		Requesting publication of SIR after Examiner action	
1251 110	2251 55		Extension for reply within first month	
1252 410	2252 205		Extension for reply within second month	
1253 930	2253 465		Extension for reply within third month	
1254 1,450	2254 725		Extension for reply within fourth month	
1255 1,970	2255 985		Extension for reply within fifth month	
1401 320	2401 160		Notice of Appeal	
1402 320	2402 160		Filing a brief in support of an appeal	
1403 280	2403 140		Request for oral hearing	
1451 1,510	1451 1,510		Petition to institute a public use proceeding	
1452 110	2452 55		Petition to revive - unavoidable	55.00
1453 1,300	2453 650		Petition to revive - unintentional	
1501 1,300	2501 650		Utility issue fee (or reissue)	
1502 470	2502 235		Design issue fee	
1503 630	2503 315		Plant issue fee	
1460 130	1460 130		Petitions to the Commissioner	
1807 50	1807 50		Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180		Submission of Information Disclosure Stmt	
8021 40	8021 40		Recording each patent assignment per property (times number of properties)	
1809 750	2809 375		Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375		For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375		Request for Continued Examination (RCE)	
1802 900	1802 900		Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 55.00**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	Thomas W. Hanson	Registration No. (Attorney/Agent)	35181	Telephone	303-789-1002
Signature	<i>Thomas W. Hanson</i>	Date	Feb 27 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

COPY

Please type a plus sign (+) inside this box → ☒

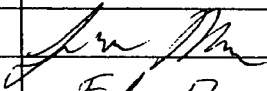
PTO/SB/21 (08-00)

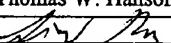
Approved for use through 10/31/2002. OMB 0551-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>	Application Number	09/765,174	
	Filing Date	Herewith	
	First Named Inventor	Naimish, Richard J.	
	Group Art Unit	2837 RECEIVED	
	Examiner Name	Lockett, K MAR 01 2004	
Total Number of Pages in This Submission	12	Attorney Docket Number	Roh-N OFFICE OF PETITIONS

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Thomas W. Hanson
Signature	
Date	Feb 13 07

CERTIFICATE OF MAILING		EU 232242635 US
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 2/13/07		
Typed or printed name	Thomas W. Hanson	
Signature		Date Feb 13 07

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$126.00)

Complete if Known

Application Number 09/765,174
Filing Date Herewith
First Named Inventor Naimish, Rishabh
Examiner Name Lockett, K.
Group Art Unit 2837
Attorney Docket No. Roh-N
MAR 01 2004

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 500339

Deposit Account Name Thomas W. Hanson, LLC

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee Code	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
12	-20* = 0	x 0.00	= 0.00
6	-3** = 3	x 42.00	= 126.00
Multiple Dependent			= 0.00

Large Entity	Small Entity	Fee Code	Fee Code	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 126.00

*for number previously paid, if greater; For Reissues, see above

FEE CALCULATION (Continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee Code	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00

SUBMITTED BY

Name (Print/Type) Thomas W. Hanson

Signature 

Registration No. (Attorney/Agent) 35,181

Complete (if applicable)

Telephone (303) 789-1002

Date Feb 10 2004

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PHONICS

Thomas W. Hanson, LLC
3555 S. Sherman St., Suite 1
Englewood, CO 80110

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Commissioner for Patents
Washington, DC 20231

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**UNITED STATES
POSTAL SERVICE**

Date: 01/29/2004

Fax Transmission To: THOMAS HANSON
Fax Number: 303-789-1003

Dear THOMAS HANSON:

The following is in response to your 01/28/2004 request for delivery information on your Express Mail item number EU232242635US. The delivery record shows that this item was delivered on 02/14/2003 at 11:26 AM in WASHINGTON, DC 20231 to D MOBLEY. The scanned image of the recipient information is provided below.

Signature of Recipient: Delivery Section 20010

Dennis Mobley
DENNIS MOBLEY

Address of Recipient: Patents 20231

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

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UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,174	01/18/2001	Richard J. Naimish	Rob-N	3840
24354	7590	12/17/2003	EXAMINER	
THOMAS W. HANSON, LLC 3990 S. CHEROKEE ST. ENGLEWOOD, CO 80110			LOCKETT, KIMBERLY R	
			ART UNIT	PAPER NUMBER
			2837	

DATE MAILED: 12/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment

Application No.

09/765,174

Examiner

Kim R. Lockett

Applicant(s)

NAIMISH, RICHARD J.


Art Unit

2837

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 20 November 2002.
- (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
- (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
- (c) ☐ A reply was received on _____, but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
- (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
- (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
- (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
- (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
- (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
- (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:


KIMBERLY LOCKETT
PRIMARY EXAMINERKim R. Lockett
Examiner
Art Unit: 2837

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.